

**Notice of Allowability**

Application No.

10/803,961

Applicant(s)

NAGASHII ET AL.

Examiner

Marc A. Schärich

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/3/2007.
2. ☒ The allowed claim(s) is/are 1-3 and 5-21.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|  | 9. <input type="checkbox"/> Other _____   |

## EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Carl T. Thomsen on 4/23/2007. *The application has been amended as follows:*

### **Amendments to the Claims**

Claim 1 (*line 16*) is amended to:

-- the a vertical direction of each pipe member, and the outer wall being formed with a --

Claim 5 (*line 5*) is amended to:

-- a first cross pipe ~~being disposed~~ extending across a span between the front end --

Claim 6 is amended to:

-- 6. The motorcycle frame according to claim 5, further comprising:

a second cross pipe ~~being disposed~~ extending across a span between upper portions of the pivot plates; and

a third cross pipe ~~being disposed~~ extending across a span between lower portions of both the pivot plates. --

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Claim 10 is *amended to*:

-- 10. The motorcycle frame according to claim 1, further comprising:  
a pair of right and left pivot plates extending downward from rear end portions of the right and left pipe members; and  
a first cross pipe ~~being disposed~~ extending across a span between the front end portions of the right and left pipe members. --

Claim 11 is *amended to*:

-- 11. The motorcycle frame according to claim 10, further comprising:  
a second cross pipe ~~being disposed~~ extending across a span between upper portions of the pivot plates; and  
a third cross pipe ~~being disposed~~ extending across a span between lower portions of ~~both~~ the pivot plates. --

Claim 12 is *amended to*:

-- 12. The motorcycle frame according to claim 8, further comprising a right and a left main frame, wherein each of said right and left main frames include[[s]] a respective gusset, one of said pipe members welded at the front end portion thereof to the gussets, and pipe portions integral with the pivot plates and welded to rear ends of the pipe members. --

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Claim 16 is *amended to*:

-- 16. A motorcycle comprising:

an engine;

a front wheel and a rear wheel;

a head pipe;

a front fork for supporting the front wheel through a shaft, wherein said front fork is rotatable with respect to and supported by said head pipe; and

a pair of right and left pipe members connected contiguously at front end portions thereof to said head pipe,

the pipe members being curved in an outwardly convex shape with respect to a longitudinal centerline of said motorcycle frame at a longitudinally intermediate position of each pipe member when viewed from a top view,

wherein a distance between lower portions at the longitudinally intermediate position of each pipe member is greater than a distance between ~~than~~ upper portions at the longitudinally intermediate position of each pipe member,

each of the pipe members including an inner wall and an outer wall;

the inner wall being formed with a substantially continuous inwardly and downwardly facing concave surface throughout an overall length of each pipe member and with respect to the a vertical direction of each pipe member, and the outer wall being formed with a substantially continuous outwardly and upwardly facing convex surface and being substantially parallel with the inner wall,

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wherein the inner wall and the outer wall of each of the pipe members join each other at an upper-most edge, the upper-most edge of each of the pipe members being curved in an upward direction when viewed from a side view, and having an outwardly facing convex shape when viewed from a top view, and

wherein the engine is disposed between lower portions of said right and left pipe members. --

Claim 18 is *amended to*:

-- 18. The motorcycle according to claim 17, further comprising:

a pair of right and left pivot plates extending downward from rear end portions of the right and left pipe members; and

a first cross pipe ~~being disposed~~ extending across a span between the front end portions of the right and left pipe members. --

Claim 19 is *amended to*:

-- 19. The motorcycle according to claim 18, further comprising:

a second cross pipe ~~being disposed~~ extending across a span between upper portions of the pivot plates; and

a third cross pipe ~~being disposed~~ extending across a span between lower portions of both the pivot plates. ---

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Claim 20 (*line 5*) is *amended to*:

-- fork, and a pair of right and left gussets extending rearward and downward from a the cylindrical --

Claim 21 is *amended to*:

-- 21. A motorcycle frame comprising:

a head pipe;

a front fork for supporting a front wheel through a shaft, wherein said front fork is rotatable with respect to and supported by said head pipe;

a pair of right and left pipe members each having a substantially prismatic shape, wherein each of said right and left pipe members is bent in an outwardly convex shape with respect to a longitudinal centerline of said motorcycle frame at a longitudinally intermediate position of each pipe member, the pipe members extending upwardly toward and being connected contiguously to the head pipe; and

a pair of right and left pivot plates extending downward from rear end portions of the right and left pipe members;

a first cross pipe ~~being disposed~~ extending across a span between front end portions of the right and left pipe members;

a second cross pipe ~~being disposed~~ extending across a span between upper portions of the pivot plates; and

a third cross pipe ~~being disposed~~ extending across a span between lower portions of both the pivot plates,

each of the pipe members further including an inner wall which is formed as a substantially continuous concave curve throughout an overall length of the pipe members and with respect to the a vertical direction of the pipe member, and an outer wall which extends substantially parallel with the inner wall, wherein upper portions of the inner walls of the pipe members are closer to each other than are lower portions of the inner walls of the pipe members, wherein the inner wall and the outer wall of each of the pipe members join each other at an upper-most edge, the upper-most edge of each of the pipe members being curved in an upward direction when viewed from a side view, and having an outwardly facing convex shape when viewed from a top view. --

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc A. Scharich whose telephone number is (571) 272-3244. The examiner can normally be reached on M-F 8:30 a.m. - 5:00 p.m..

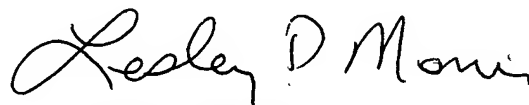
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

M.A.S. – 4/23/2007



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